

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7562 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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RATILAL SAVJIBHAI KATTAKPARA

Versus

STATE OF GUJARAT

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Appearance:

None present for the Petitioner

Shri VB Gharania for Respondents No.1 and 2.

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 11/05/99

ORAL JUDGEMENT

1. Perused the Special Civil Application, affidavit in reply filed by the respondent, rejoinder affidavit and heard learned counsel for the respondent.

2. From this reply I find that in the departmental inquiry the petitioner held to be a guilty of the charges and under the order dated 26.9.1995 the respondent ordered for pension cut of Rs.400/- per month of the

petitioner for five years by way of penalty. In view of these facts, it is not correct to contend by the petitioner in the Special Civil Application that his suspension was wholly unjustified. The claim of the petitioner for all benefits for the suspension period from 3.10.1990 to 25.4.1994 does not stand to any merit and substance.

3. This Special Civil Application is dismissed. Rule is discharged. Interim relief if any granted by this Court stands vacated. No order as to costs.

(S.K.Keshote,J.)  
(pathan)